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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,545	08/20/2001	Richard F. Lyon	514512000300	6546

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EXAMINER

DIVINE, LUCAS

ART UNIT	PAPER NUMBER
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2624

13

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/933,545

Applicant(s)

LYON ET AL.

Examiner

Lucas Divine

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4, 7, 8.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. Formal drawings were received on 4/16/2002. These drawings are accepted by the Examiner.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 13 claims the storage service receiving and processing photographic film. There is no discussion in the specification of the storage service receiving or processing photographic film. The Examiner does not understand how photographic film is received at the storage service in the networked system of Fig. 1 because the clients are remote from the storage service. Explanation of how the photographic film is received by and processed in the storage service is required in the disclosure. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 5, 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Robotham et al. (US 6704024) hereafter referred to as Robotham.

Regarding claim 1, Robotham teaches **a system, comprising:**

**a computing resource 22 accessible to a plurality of clients 24** (plurality shown in Fig.

4) **via a communication network 18;**

**a storage service** (mass storage 6 and server memory 4 work together as a storage service) **operating on the computing resource 22 configured to store unrendered image data** (data 12 before being rendered) **corresponding to scenes** (the data sent by the client can be any type of data to be rendered, including data corresponding to scenes); **and**

**a rendering service** (shown in Fig. 1 as rendering function for data 12, later shown as rendering function 48 in later figures; note Fig. 3) **operating on the computing resource 22 configured to process the unrendered image data 12 to generate rendered images,**

**wherein the rendering service 48 processes the unrendered image data 12 responsive to requests from the clients** (col. 7 lines 34-35 teach computing resource 22 servicing client requests), **communicated over said communications network 18, based on rendering**

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**parameters determined in accordance with the client requests** (col. 3 line 55 teaches rendering based on parameters and col. 9 lines 37-39 and col. 26 lines 19-22 teach that these parameters are in accordance with client requests).

Regarding claim 11, which depends from claim 1, Robotham further teaches that **the rendering service is configured to interact with clients to determine the rendering parameters** (col. 26 lines 19-30 teach the rendering parameters as being customizable by the client to the server 'interaction').

Regarding claim 12, which depends from claim 1, Robotham further teaches that **the storage service 4 is configured to receive the unrendered image data 12 from the clients 24 via the communication network 18** (col. 3 lines 19-21 wherein the client and server exchange and share information via the communication network, information including the rendering requests associated with client sent unrendered image data).

Regarding claim 2, which depends from claim 1, Robotham teaches that data 12 is **raw image data** before being rendered. Col. 4 lines 17-18 teach the rendering of source data, which is the **raw image data** to be rendered in the invention of Robotham.

Regarding claim 3, which depends from claim 1, Robotham further teaches:

**the storage service is also configured to store, along with the unrendered image data, indications of characteristics of the unrendered image data** (col. 10 lines 14-16 teach the storage service sending additionally stored characteristic information about the data 12 to the client); **and**

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**the rendering service is configured to process the unrendered image data based, at least in part, on the indications of characteristics** (col. 10 lines 19-20 teach the server utilizing characteristic information to interpret the user's action, actions including rendering requests).

Regarding claims 4 and 5, which depend from claim 1, Robotham further teaches the computing resource 22 processor 4 running **the storage service to receive raw image data** (discussed in the rejection of claim 2) **and process the raw image data into corresponding colorimetric data** (pixel transform function 50 processes the raw image data into corresponding colorimetric data as discussed in cols. 23 and 24 under the subheading of Pixel Transformation Function – specifically the color-space conversion in col. 23 line 52), **which is then stored along with the raw image data as unrendered image data in the storage service** (memory 4) **for rendering at a later time** (also shown in Fig. 3 as shared server data 56 that is rendered in rendering function 48).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 7, 9, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robotham and Uda et al. (US 6515758) hereafter referred to as Uda.

Regarding claim 6, which depends from claim 1, Robotham teaches all of the limitations of parent claim 1. And while Robotham teaches a client/server networked environment for the

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rendering of image data, Robotham does not teach a **printing service operating on the computing resource configured to generate tangible embodiments corresponding to the rendered images.**

Uda teaches a client/server networked environment for the printing of image data including a **printing service** (printer server process 107) **operating on the computing resource** (server 102) **configured to generate tangible embodiments corresponding to the rendered images** (col. 4 lines 7-12 and col. 5 lines 54-67, wherein the client instructs the printing service to generate tangible embodiments [printed output] corresponding client data sent).

It would have been obvious to one of ordinary skill in the art to add a printing service to the computing resource of Robotham. The motivations for adding printing to a client/server system are well known in the art and include the desire to print image information that the client has had rendered that the client is viewing or working with. By having the printing completed at the server as well, the client machine is placed with less of a computing burden, which is a stated object of Robotham for having processes run on the server (col. 3 lines 31-46 and col. 11 lines 11-57).

Regarding claim 7, which depends from claim 6 as it depends from claim 1, Uda further teaches that **the tangible out embodiments include prints**. Printing prints is standard of printers 104a-104d.

Regarding claims 9 and 10, which depend from claim 6 as it depends from claim 1, the invention of Uda clearly teaches in the abstract a selection of a printer from the plurality corresponding to the characteristics of the image to be printed and the **characteristics of the printer (tangible embodiment generation process)**. The abstract further states that the image

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to be printed is converted '**adjusted**' to a desirable representation when the selected printer is not capable of handling the image file. Thus the printing service adjusts the print image data accordingly.

It would have been obvious to one of ordinary skill in the art to perform the **adjusting of image data based on printer characteristics** to the appropriate format in the **rendering service** of Robotham. The motivations for doing so would have been to provide a system where the manipulation of images and files takes place in one step instead of the rendering service rendering the file followed by the printing service converting it for a printer. Incorporating a single service that completes all rendering and conversion would simplify hardware and software.

Regarding claim 13, which depends from claim 2 as it depends from claim 1, Claim 13 is not described in the specification in appropriate detail as discussed in the claim objection above. Examiner assumes the 'photographic film reception' to be a scanner type input of film to a computing system.

Robotham teaches all of the limitations of claims 1 and 2 above. And while Robotham teaches a client/server networked environment for the rendering of raw image data, Robotham does not teach that **the storage service is able to receive photographic film having images of the scenes embodied thereon; and process the photographic film to generate the raw image data**.

Uda teaches **a storage service 212 that is able to receive photographic film having images of the scenes embodied thereon; and process the photographic film to generate the raw image data** (scanners 103a and 103b receive images of scenes on photographic images and



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generate raw image data that is sent to the scanner printer server 102 and stored in the storing service 212 as discussed in the scanning in col. 5 and further).

It would have been obvious to one of ordinary skill in the art to add the scanning of photographic film to the rendering and image viewing system of Robotham. The motivation for doing so would have been to allow the user to take photographic images and view them on a computer by scanning them and rendering them for viewing.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robotham and Uda as applied to claims 6 above, and further in view of Erhard et al. (US 5806420) hereafter referred to as Erhard.

Regarding claim 8, which depends from claim 6 as it depends from claim 1, Robotham and Uda teach a system for storing, rendering and printing image data as discussed above in the rejections of claims 1 and 6. Robotham and Uda do not teach that the printing system can format and print the files onto **computer-readable media**.

Erhard teaches a printer for printing **computer-readable media**, in specific, compact discs.

It would have been obvious to one of ordinary skill in the art to use the printer of Erhard in the printing system of Robotham and Uda. The motivation for doing so would have been to allow the user of the client machine to transport the rendered image files to another computing system for further viewing, editing, or other picture related task.

### *Conclusion*

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-6128097 Parker et al. 10-3-2000: teaches a printing system with rendering and printing of image files – see Fig. 6.

US-6721802 Wright et al. 4-13-2004: rendering and storage of raw image data at the client terminal and uploading to a central server.

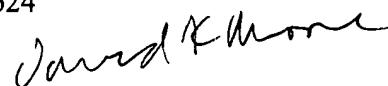
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucas Divine whose telephone number is 703-306-3440. The examiner can normally be reached on Monday - Friday, 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 703-308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lucas Divine  
Examiner  
Art Unit 2624

ljd



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**SUPERVISORY PATENT EXAMINER**  
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